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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,411	03/26/2004	Hiroshi Morisaki	119283	6808

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EXAMINER

IWUCHUKWU, EMEKA DERRICK

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/809,411	MORISAKI ET AL.	
	Examiner	Art Unit	
	Emeka D. Iwuchukwu	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/10/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/10/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7,9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 2004/0174561 A1 to Fukunaga et al. (*hereinafter Fukunaga*).

With respect to claims 1,11-14, Fukunaga teaches a data processing system comprising a main terminal device having one or more functions, and a sub terminal device connected to the main terminal device and performs data communications therewith (Figure 1), wherein the main terminal device comprises: a data storing unit that stores various types of data, and enables the sub terminal device to recognize the data storing unit as an external storage device so as to enable the sub terminal device to be accessible to the data storing unit (paragraph 84); a request storage commanding unit that receives commands from an external source and stores request data in the data storing unit, the request data being generated from the main terminal device for

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requesting the sub terminal device to generate implementation data required for implementing one or more functions (paragraphs 84,128); and a function implementing unit that executes a process to implement a function based on the implementation data when the implementation data is transmitted from the sub terminal device following a command by the request storage commanding unit (paragraphs 83,133), and wherein the sub terminal device comprises: a data generating unit that generates the implementation data when the request data is stored in the data storing unit (paragraphs 81,84); and an implementation data transmitting unit that transmits the implementation data generated by the data generating unit to the main terminal device (paragraph 81).

Fukunaga also teaches the following system and processes embodied as a program and stored in a storage medium (paragraphs 23,731,732). Fukunaga also teaches a program of executing a process to implement the function of the main terminal device based on the implementation data after the program of transmitting the implementation data is executed (paragraph 83).

With respect to claim 2, Fukunaga teaches the data processing system according to claim 1, wherein the implementation data transmitting unit transmits the implementation data generated by the data generating unit to the main terminal device (paragraph 81) and directs the implementation data to be stored in the data storing unit (paragraph 84), and the function implementing unit executes a process to implement the function based on the implementation data when the implementation data transmitted from the sub terminal device is stored in the data storing unit (paragraph 83).

With respect to claim 3, Fukunaga teaches the data processing system according to claim 1, wherein the sub terminal device further comprises a request deleting unit that deletes the request data stored in the data storing unit after the data generating unit generates the implementation data (paragraph 555).

With respect to claim 4, Fukunaga teaches the data processing system according to claim 2, wherein the main terminal device further comprises an implementation data deleting unit that deletes the implementation data stored in the data storing unit after the function implementing unit executes the process to implement the function (paragraph 273).

With respect to claim 5, Fukunaga teaches the data processing system according to claim 1, wherein the main terminal device further comprises: an image communicating unit that transmits and receives image data via a network (paragraphs 83,84); and a printing unit that prints various images on a recording medium (paragraphs 81,84,87), wherein the request storage commanding unit stores the request data with the image data attached to the request data in the data storing unit when the image data is received by the image communicating unit, the implementation data being print data converted from the image data and having a data format that is printable by the printing unit, the request data being data for requesting generation of the implementation data (paragraphs 84,127); and the function implementing unit executes a printing process for images indicated by the print data by controlling the printing unit to print the images based on the implementation data when the implementation data is received from the sub terminal device after the command by the request recording command unit (paragraph 84); and wherein the data generating unit generates converted image data by converting the image data

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attached to the request data to a data format requested by the request data when the request data is stored in the data storing unit (paragraphs 84,145).

With respect to claim 6, Fukunaga teaches the data processing system according to claim 1, wherein the main terminal device is connected to a network and performs data communications therewith, the main terminal device further comprising: a data acquiring unit that receives commands from an external source outside the main terminal device and acquires external data inputted from the external source (paragraphs 81,84); and an external storage commanding unit that stores the external data acquired by the data acquiring unit in the data storing unit (paragraphs 81,84); wherein the request storage commanding unit stores the request data with the external data attached to the request data in the data storing unit after the external data is stored in the data storing unit, the implementation data being data converted from the external data and having a data format that is transferable to the network, the request data being data for requesting generation of the implementation data (paragraphs 84,127,145); and the function implementing unit implements data communications in the data format by transmitting the implementation data via the network when the implementation data is transmitted from the sub terminal device after issuance of the command by the request storage commanding unit (paragraph 84); and the data generating unit generates converted external data converted from the external data attached to the implementation data to the data format requested by the request data when the request data is stored in the data storing unit (paragraphs 84,127,145).

With respect to claim 7, Fukunaga teaches the data processing system according to claim 6, wherein the main terminal device further comprises transmission specifying unit that prompts a user to specify external data to be transmitted via the network from among external

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data acquired by the data acquiring unit (paragraph 81), wherein the request storage commanding unit stores the request data in the data storing unit when the external data has been specified by the transmission specifying unit (paragraph 84).

With respect to claim 9, Fukunaga teaches the data processing system according to claim 6, wherein the data acquiring unit receives user operations and scans a prescribed image to acquire image data as the external data (paragraphs 264,730); and the request storage commanding unit stores the request data in the data storing unit when the external data is stored in the data storing unit (paragraphs 84,127).

With respect to claim 10, Fukunaga teaches the data processing system according to claim 6, wherein the request data is data for requesting that the external data be converted to a compressed data format (paragraphs 265,730).

4. Claims 1,6&8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Publication 2002/0082001 A1 to Tanaka et al. (*hereinafter Tanaka*).

With respect to claim 1, Tanaka teaches a data processing system comprising a main terminal device having one or more functions, and a sub terminal device connected to the main terminal device and performs data communications therewith (Figure 1), wherein the main terminal device comprises: a data storing unit that stores various types of data, and enables the sub terminal device to recognize the data storing unit as an external storage device so as to enable the sub terminal device to be accessible to the data storing unit (paragraphs 40,41); a request storage commanding unit that receives commands from an external source and stores request data in the data storing unit, the request data being generated from the main terminal device for requesting the sub terminal device to generate implementation data required for

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implementing one or more functions (paragraphs 48,79-81); and a function implementing unit that executes a process to implement a function based on the implementation data when the implementation data is transmitted from the sub terminal device following a command by the request storage commanding unit (paragraph 41), and wherein the sub terminal device comprises: a data generating unit that generates the implementation data when the request data is stored in the data storing unit (paragraphs 30,51,61); and an implementation data transmitting unit that transmits the implementation data generated by the data generating unit to the main terminal device (paragraphs 61,63).

With respect to claim 6, Tanaka teaches the data processing system according to claim 1, wherein the main terminal device is connected to a network and performs data communications therewith (paragraph 29), the main terminal device further comprising: a data acquiring unit that receives commands from an external source outside the main terminal device and acquires external data inputted from the external source (paragraphs 53,61); and an external storage commanding unit that stores the external data acquired by the data acquiring unit in the data storing unit (paragraphs 33,39,53); wherein the request storage commanding unit stores the request data with the external data attached to the request data in the data storing unit after the external data is stored in the data storing unit, the implementation data being data converted from the external data and having a data format that is transferable to the network, the request data being data for requesting generation of the implementation data (paragraphs 33,53,61,80); and the function implementing unit implements data communications in the data format by transmitting the implementation data via the network when the implementation data is transmitted from the sub terminal device after issuance of the command by the request storage

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commanding unit (paragraph 80); and the data generating unit generates converted external data converted from the external data attached to the implementation data to the data format requested by the request data when the request data is stored in the data storing unit (paragraphs 60,72,82).

With respect to claim 8, Tanaka teaches the data processing system according to claim 6, wherein the main terminal device has a function for implementing a voice call based on voice signals inputted and outputted via the network (paragraphs 33,49,51); and the data acquiring unit receives commands from an external source and begins and ends the acquisition of voice signals inputted and outputted via the network as the external data (paragraphs 33,49).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication 2004/0174561 A1 to Fukunaga et al. (*hereinafter Fukunaga*) in view of U.S. Patent Publication 2002/0082001 A1 to Tanaka et al. (*hereinafter Tanaka*).

Fukunaga teaches the data processing system according to claim 6. Fukunaga fails to specifically mention the main terminal device has a function for implementing a voice call based on voice signals inputted and outputted via the network; and the data acquiring unit receives commands from an external source and begins and ends the acquisition of voice signals inputted and outputted via the network as the external data.

In the same field of endeavor, Tanaka teaches a similar system wherein the main terminal device has a function for implementing a voice call based on voice signals inputted and outputted via the network (paragraphs 33,49,51); and the data acquiring unit receives commands from an external source and begins and ends the acquisition of voice signals inputted and outputted via the network as the external data (paragraphs 33,49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a terminal device with a function for implementing a voice call based on voice signals inputted and outputted via the network; and a data acquiring unit receives commands from an external source and begins and ends the acquisition of voice signals inputted and outputted via the network as the external data, so as to have a more versatile terminal device as exemplified by Tanaka (paragraphs 33,49,51).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka D. Iwuchukwu whose telephone number is (571) 272-5512. The examiner can normally be reached on M-F (9AM - 5.30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OVIDIO ESCALANTE
PATENT EXAMINER

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